

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF WEST VIRGINIA

SCOTT T. BALLOCK,

Plaintiff,

v.

// CIVIL ACTION NO. 1:17CV52
(Judge Keeley)

ELLEN RUTH COSTLOW,
STATE TROOPER MICHAEL KIEF,
STATE TROOPER RONNIE M. GASKINS, and
STATE TROOPER CHRIS BERRY,

Defendants.

ORDER FOLLOWING *IN CAMERA* REVIEW

Pursuant to the Court's directive (Dkt. No. 87), the plaintiff, Scott T. Ballock ("Ballock"), timely submitted all documents related to his discharge from employment and all emails between his counsel and Thomas Ballock. In addition, defendants Michael Kief, Ronnie M. Gaskins, and Chris Berry (collectively, "the State Trooper defendants") timely submitted the emails claimed as privileged in Dkt. No. 85-1.

Having completed the in camera review, the Court **DIRECTS** Ballock to produce the following documents to the State Trooper defendants:

- Ballock's first sworn statement, dated June 29, 2016;
- FBI's proposed decision to terminate Ballock's employment, dated April 10, 2017;
- FBI's decision to terminate Ballock's employment, dated September 21, 2017;

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- Ballock's supplemental submission to the Office of Disciplinary Appeals, dated October 3, 2017;
- Scott's second sworn statement, dated March 12, 2018; and
- FBI policies and confidentiality agreement form utilized in the administrative proceedings.

Further, the Court concludes that the emails identified in the State Trooper defendants' privilege log (Dkt. No. 85-1) are privileged and are therefore not required to be produced.

It is so **ORDERED**.

The Court directs the Clerk to transmit copies of this Order to counsel of record.

DATED: November 29, 2018

/s/ Irene M. Keeley
IRENE M. KEELEY
UNITED STATES DISTRICT JUDGE